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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/788,934	02/27/2004	Tuan-Yu Hung	04129-UPS	9543
33804	7590	12/13/2006	EXAMINER SINGH, DALZID E	
LIN & ASSOCIATES INTELLECTUAL PROPERTY P.O. BOX 2339 SARATOGA, CA 95070-0339			ART UNIT 2613	PAPER NUMBER

DATE MAILED: 12/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/788,934

Applicant(s)

HUNG ET AL.

Examiner

Dalzid Singh

Art Unit

2613

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 February 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 and 10-13 is/are rejected.
- 7) ☒ Claim(s) 9 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-8 and 10-13 are rejected under 35 U.S.C. 102(e) as being anticipated by Cao (US Pub. No. 2003/0198025).

Regarding claim 1, Cao et al disclose a pluggable bi-directional transceiver with a single optical fiber (see col. 3, lines 21-28), comprising:

a sub-assembly module of optical transceiver (see Fig. 2) connected with an optical fiber for receiving and transmitting optical signals;

a printed circuit board (PCB) connected with said sub-assembly module, also connected a communication equipment under pluggable condition for exchange of signals between said sub-assembly module and said communication equipment (see col. 3, lines 56-64);

a main frame located above said sub-assembly module and said PCB for fixing and protecting said module and said PCB (the structural enclosure shown in Fig. 1 fixes and protects the module);

a tab for pulling said transceiver out of said communication equipment (see col. 4, lines 25-42; col. 6, lines 1-22);

a tab-base provided with an anchoring member for fixing said transceiver onto said communication equipment (col. 2, lines 10-43; col. 4, lines 14-42; col. 6, lines 47-65);

a lower cover located under said module and said PCB for fixing and protecting said module and said PCB (see Figs. 3 and 4); and an upper cover located above said main frame (see Figs. 3 and 4).

Regarding claim 2, said sub-assembly module further comprises:

an optical fiber as a medium for transmitting optical signals (see col. 3, lines 24-28); a laser-diode transmitter for converting electronic signals into optical signals and transmitting the same outwardly; a signal receiver for receiving optical signals and converting the same into electronic signals; a wavelength division multiplexer (WDM) located among said laser-diode transmitter, signal receiver, and optical fiber for separating optical signals of different wavelengths; a supporting rack for supporting said WDM; a casing for fixing and protecting said laser-diode transmitter, signal receiver, and WDM; and an optical-fiber connector connected with said optical fiber (see col. 3, lines 18-50; the WDM is the filter for separating different wavelength).

Regarding claim 3, the laser-diode transmitter of said sub-assembly module is provided with a lens device (it is inherent to provide lens).

Regarding claim 4, the laser-diode transmitter of said sub-assembly module is provided with a lead wire for connecting with the conductive pins of said PCB (see Fig. 2).

Regarding claim 5, the signal receiver of said sub-assembly module is provided with a lens device (it is inherent to provide lens).

Regarding claim 6, the signal receiver of said sub-assembly module is provided with a lead wire for connecting with the conductive pins of said PCB (see Fig. 2).

Regarding claim 7, the supporting rack of said sub-assembly module is made of a plastic material (it is of design choice to provide the rack made of plastic).

Regarding claim 8, the casing of said sub-assembly module is made of a metallic material (see col. 3, lines 64-67).

Regarding claim 10, said main frame is made of a zinc alloy, capable of preventing electromagnetic interference (EMI) (see col. 3, lines 64-67).

Regarding claim 11, said lower cover is made of a metallic material, capable of preventing EMI (see col. 3, lines 64-67).

Regarding claim 12, said upper cover is made of a metallic material, capable of preventing EMI (see col. 3, lines 64-67).

Regarding claim 13, said tab-base is made of a plastic material (it is of design choice to provide tab-base of plastic material).

Allowable Subject Matter

3. Claim 9 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Bui (US Patent No. 6,771,511) is cited to show pluggable optical transceiver with pivoting actuator level.

Tan et al (US Patent No. 6,954,592) is cited to show bi-directional optical transceiver.

Cao (US Pub. No. 2003/0198025) is cited to show pluggable optical transceiver with pivoting release actuator.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dalzid Singh whose telephone number is (571) 272-3029. The examiner can normally be reached on Mon-Fri 9am - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Chan can be reached on (571) 272-3022. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DS
December 8, 2006

David Singh